

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

JUXTACOMM-TEXAS SOFTWARE, LLC,

Plaintiff,

v.

AXWAY, INC., et al.,

Defendants.

Civil Action No. 6:10-CV-00011 (LED)

JURY TRIAL DEMANDED

NOTICE OF JOINDER IN DEFENDANTS MOTIONS IN LIMINE

Defendants Lawson Software, Inc. and Lawson Software Americas, Inc. (collectively, “Lawson”), hereby join in Motions in Limine Nos. 2-9 filed by defendants SAS Institute Inc. and DataFlux Corporation (“SAS/DataFlux”) (Dkt. No. 983).

With respect to SAS/DataFlux’s Motion in Limine No. 3 – “To Preclude Any Expert From Introducing Opinion Testimony Outside the Scope of Its Experts’ Reports” – Lawson notes that Lawson has moved to strike the initial damages expert report of Michael Dansky (“Initial Dansky Report”) because it fails to provide a complete damages analysis, as required by Fed. R. Civ. P. 26(a)(2)(B). *See* Dkt. No. 652. JuxtaComm has since moved for leave to serve a supplement damages report, which Lawson opposes. *See* Dkt. Nos. 666, 676. For the reasons set forth in Lawson’s opposition to JuxtaComm’s motion for leave to supplement and in SAS/DataFlux’s Motion in Limine No. 3, in the event the Court does not grant Lawson’s motion to strike the Initial Dansky Report, Mr. Dansky should nonetheless be precluded from offering any opinion or testimony beyond the scope of the Initial Dansky Report.

Dated: December 5, 2011

/s/ Mark N. Reiter

Mark N. Reiter

Josh A. Krevitt

Paul E. Torchia

Steven M. Kalogeras

Joshua Furman

Gibson Dunn & Crutcher - NYC

200 Park Ave., 48th Floor

New York, NY 10166

Telephone: (212) 351-4000

Facsimile: (212) 351-4035

jkrevitt@gibsondunn.com

ptorchia@gibsondunn.com

skalogeras@gibsondunn.com

jfurman@gibsondunn.com

Mark N. Reiter

Texas Bar No. 16759900

Mandy Pezzano

Texas Bar No. 24074886

Gibson Dunn & Crutcher – Dallas

2100 McKinney Avenue, Suite 1100

Dallas, TX 75201-6912

Telephone: (214) 698-3100

Facsimile: (214) 571-2900

mreiter@gibsondunn.com

mpezzano@gibsondunn.com

Otis W. Carroll, Jr.

Texas Bar No. 03895700

Ireland Carroll & Kelley

6101 S. Broadway, Suite 500

Tyler, TX 75703

Telephone: 903.561.1600

Facsimile: 903.581.1071

Fedserv@icklawn.com

*ATTORNEYS FOR DEFENDANTS
LAWSON SOFTWARE, INC. AND
LAWSON SOFTWARE AMERICAS, INC.*

CERTIFICATE OF SERVICE

I certify that the foregoing document was filed electronically on December 5, 2011 pursuant to Local Rule CV-5(a) and has been served on all counsel of record who have consented to electronic service.

/s/ Mark N. Reiter
Mark N. Reiter